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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/053,673	01/24/2002	Rick P. Hoover	10012696-1	8428

7590 06/21/2006
HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

POKRZYWA, JOSEPH R

ART UNIT	PAPER NUMBER
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2625

DATE MAILED: 06/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action Before the Filing of an Appeal Brief	Application No. 10/053,673	Applicant(s) HOOVER ET AL.	
	Examiner Joseph R. Pokrzywa	Art Unit 2625	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 26 May 2006 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
 b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
- (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
 (b) ☐ They raise the issue of new matter (see NOTE below);
 (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).


4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
 5. ☐ Applicant's reply has overcome the following rejection(s): _____.
 6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
 7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
 The status of the claim(s) is (or will be) as follows:
 Claim(s) allowed: _____.
 Claim(s) objected to: _____.
 Claim(s) rejected: _____.
 Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
 9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
 10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
of the reasons discussed in the attached Detailed Action.
 12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). _____.
 13. ☐ Other: _____.


 Joseph R. Pokrzywa
 Primary Examiner
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DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 5/26/06 have been fully considered but they are not persuasive.
2. In response to applicant's arguments regarding the rejection of *claim 1* as being anticipated by Mazzagatte et al., whereby applicant argues on page 12 that Mazzagatte fails to teach of recording a reference to the On-the-Go Print Queue on a portable computing device", as applicant argues that Mazzagatte only describes unique identification information of an intended recipient being stored on the smart card. The examiner agrees with applicant, in that Mazzagatte stores unique information of an intended recipient on a portable computing device. However, Mazzagatte teaches in column 10, lines 13-24, "In this process, the printer again utilizes the unique identification information of the intended recipient. The printer utilizes the information presented in the smart-card and compares it to the identification information stored in the print queue. If the printer determines that print jobs are queued for the intended recipient, the printout process continues." Thus, the unique identification information is used for referencing the print queue.
3. Continuing, applicant further argues on pages 12 and 13 that Mazzagatte fails to teach if a printer is programmed to read references from the portable computing device and of reading with the printer the reference to the On-the-Go Print Queue from the portable computing device, as once again, the applicant argues that the printer is programmed to read the unique identification information of the intended recipient from a smart card. As discussed above, Mazzagatte teaches

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in column 10, lines 13-24 that the unique identification information of the intended recipient is used as a reference to the print queue, and the printer is programmed to read the references to the print queue from the portable computing device. Therefore, Mazzagatte can be interpreted as teaching of recording a reference to the On-the-Go print Queue on a portable computing device, having a printer programmed to read references from the portable computing device, and reading the reference to the On-the-Go print queue with the printer, as required in claim 1.

4. Therefore, the rejection of independent **claim 1**, and for similar reasons, independent **claims 54 and 93**, which were cited in the Office action dated 4/6/06 under 35 U.S.C.102(e) as being anticipated by Mazzagatte et al., are maintained.

5. In response to applicant's arguments regarding the rejection of **claims 1, 54 and 93**, which were also cited as being anticipated by Matsubayashi et al., whereby applicant argues on pages 14 and 15, that Matsubayashi fails to teach of recording a reference to the On-the-Go print Queue on a portable computing device, having a printer programmed to read references from the portable computing device, and reading the reference to the On-the-Go print queue with the printer. As noted by applicant, the reference of Matsubayashi is related to the Mazzagatte reference, noted above. Similar sections as those discussed above are found in paragraphs 0113 and 0121 of Matsubayashi.

6. Therefore, the rejection of independent **claims 1, 54, and 93**, which were cited in the Office action dated 4/6/06 under 35 U.S.C.102(e) as being anticipated by Matsubayashi et al., are maintained.

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Conclusion


7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joe Pokrzywa whose telephone number is (571) 272-7410. The examiner can normally be reached on Monday-Friday, 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on (571) 272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Joseph R. Pokrzywa
Primary Examiner
Art Unit 2625

jrj



JOSEPH R. POKRZYWA
PRIMARY EXAMINER